

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA JAY SCHROEDER,

Defendant.

CR 20-09-BU-DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendations in this matter on August 24, 2020. (Doc. 36.) Neither party objects, and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge DeSoto recommended this Court accept Joshua Jay Schroeder’s guilty plea after Schroeder appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of conspiracy to possess with the intent to distribute methamphetamine in violation of 21 U.S.C. § 846, one count of prohibited person in possession of firearms in violation of 18 U.S.C.

§ 922(g)(1), and one count of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h), as set forth in the Superseding Information.

The Court finds no clear error in Judge DeSoto's Findings and Recommendation, and adopts them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. Accordingly,

IT IS ORDERED that the Findings and Recommendations (Doc. 36) is ADOPTED in full. Joshua Jay Schroeder's motion to change plea (Doc. 16) is GRANTED and Schroeder is adjudged guilty as charged in Counts I, II and III of the Superseding Information.

DATED this 9th day of September, 2020.



Dana L. Christensen, District Judge
United States District Court